

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD FERREIRA,
Plaintiff,
v.
CHABOT COLLEGE, et al.,
Defendants.

No. C 08-02264 CW
CASE MANAGEMENT
SCHEDULING ORDER FOR
REASSIGNED CIVIL
CASE

This action having been reassigned to the undersigned judge,
IT IS HEREBY ORDERED that a Case Management Conference will be
held on **August 12, 2008, at 2:00 p.m.** in Courtroom 2, 4th Floor, 1301
Clay Street, Oakland, CA 94612. Pursuant to Civil L.R. 16-9(a), a
joint Case Management Statement will be due seven (7) days prior to
the conference.

If the conference is inconveniently scheduled, it may be
rescheduled by agreement of all parties to another date or time
convenient to the Court's calendar.

At the conclusion of the conference, an order will be entered
setting dates either for a further case management conference, or for
close of discovery, pretrial conference, and trial. Other orders

1 regulating and controlling future proceedings may be entered.

2 Removing Defendant shall serve copies of this Order at once on
3 all parties to this action, and on any parties subsequently joined,
4 in accordance with Fed. R. Civ. P. 4 and 5. Following service,
5 Removing Defendant shall file a certificate of service with the Clerk
6 of this Court.

7 FAILURE TO COMPLY WITH THIS ORDER may be deemed sufficient
8 grounds for dismissal of this cause, default or other appropriate
9 sanctions. See Fed. R. Civ. P. 16(f).

10 See attached for standard procedures.

11 IT IS SO ORDERED.

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13 Dated: 5/12/08



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16 CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE
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NOTICE

Case Management Conferences and Pretrial Conferences are conducted on **Tuesdays** at 2:00 p.m. **Criminal Law and Motion** calendar is conducted on **Wednesdays** at 2:00 p.m. for defendants in custody and 2:30 p.m. for defendants not in custody. **Civil Law and Motion** calendar is conducted on **Thursdays** at 2:00 p.m. Order of call is determined by the Court. Counsel need not reserve a hearing date for civil motions; however, counsel are advised to check the legal newspapers or the Court's website at www.cand.uscourts.gov for unavailable dates.

Motions for Summary Judgment: All issues shall be contained within one motion of 25 pages or less, made on 35 days notice. (See Civil L.R. 7-2). Separate statements of undisputed facts in support of or in opposition to motions for summary judgment will not be considered by the Court. (See Civil Local Rule 56-2(a)). The motion and opposition should include a statement of facts supported by citations to the declarations filed with respect to the motion. Evidentiary and procedural objections shall be contained within the motion, opposition or reply; separate motions to strike will not be considered by the Court. Any cross-motion shall be contained within the opposition to any motion for summary judgment, shall contain 25 pages or less, and shall be filed 21 days before the hearing. The reply to a motion may contain up to 15 pages, shall include the opposition to any cross-motion, and shall be filed 14 days before the hearing. (See Civil Local Rule 7-3). The Court may, *sua sponte* or pursuant to a motion under Civil L.R. 6-3, reschedule the hearing so as to give a moving party time to file a reply to any cross-motion.

All discovery motions are referred to a Magistrate Judge to be heard and considered at the convenience of his/her calendar. All such matters shall be noticed by the moving party for hearing on the assigned Magistrate Judge's regular law and motion calendar, or pursuant to that Judge's procedures.

Pursuant to General Order 45, § VI.G, "In all cases subject to ECF, in addition to filing papers electronically, the parties are required to lodge for chambers **no later than noon on the business day following the day that the papers are filed electronically**, one paper copy of each document that is filed electronically."

(rev. 10/10/07)

**STANDING ORDER FOR ALL JUDGES OF THE NORTHERN DISTRICT OF
CALIFORNIA**

CONTENTS OF JOINT CASE MANAGEMENT STATEMENT

Commencing March 1, 2007, all judges of the Northern District of California require the identical information in Joint Case Management Statements filed pursuant to Civil Local Rule 16-9. The parties must include the following information in their statement which, except in unusually complex cases, should not exceed ten pages:

1. Jurisdiction and Service: The basis for the court's subject matter jurisdiction over plaintiff's claims and defendant's counterclaims, whether any issues exist regarding personal jurisdiction or venue, whether any parties remain to be served, and, if any parties remain to be served, a proposed deadline for service.
2. Facts: A brief chronology of the facts and a statement of the principal factual issues in dispute.
3. Legal Issues: A brief statement, without extended legal argument, of the disputed points of law, including reference to specific statutes and decisions.
4. Motions: All prior and pending motions, their current status, and any anticipated motions.
5. Amendment of Pleadings: The extent to which parties, claims, or defenses are expected to be added or dismissed and a proposed deadline for amending the pleadings.
6. Evidence Preservation: Steps taken to preserve evidence relevant to the issues reasonably evident in this action, including interdiction of any document-destruction program and any ongoing erasures of e-mails, voice mails, and other electronically-recorded material.
7. Disclosures: Whether there has been full and timely compliance with the initial disclosure requirements of Fed. R. Civ. P. 26 and a description of the disclosures made.
8. Discovery: Discovery taken to date, if any, the scope of anticipated discovery, any proposed limitations or modifications of the discovery rules, and a proposed discovery plan pursuant to Fed. R. Civ. P. 26(f).
9. Class Actions: If a class action, a proposal for how and when the class will be certified.
10. Related Cases: Any related cases or proceedings pending before another judge of this court, or before another court or administrative body.
11. Relief: All relief sought through complaint or counterclaim, including the amount of any damages sought and a description of the bases on which damages are calculated. In addition, any party from whom damages are sought must describe the bases on which it contends damages should be calculated if liability is established.
12. Settlement and ADR: Prospects for settlement, ADR efforts to date, and a specific ADR plan for the case, including compliance with ADR L.R. 3-5 and a description of key discovery or motions necessary to position the parties to negotiate a resolution.
13. Consent to Magistrate Judge For All Purposes: Whether all parties will consent to have a magistrate judge conduct all further proceedings including trial and entry of judgment.
14. Other References: Whether the case is suitable for reference to binding arbitration, a special

1 master, or the Judicial Panel on Multidistrict Litigation.

2 15. Narrowing of Issues: Issues that can be narrowed by agreement or by motion, suggestions to
3 expedite the presentation of evidence at trial (e.g., through summaries or stipulated facts), and any
request to bifurcate issues, claims, or defenses.

4 16. Expedited Schedule: Whether this is the type of case that can be handled on an expedited basis
5 with streamlined procedures.

6 17. Scheduling: Proposed dates for designation of experts, discovery cutoff, hearing of dispositive
motions, pretrial conference and trial.

7 18. Trial: Whether the case will be tried to a jury or to the court and the expected length of the trial.

8 19. Disclosure of Non-party Interested Entities or Persons: Whether each party has filed the
9 "Certification of Interested Entities or Persons" required by Civil Local Rule 3-16. **In addition**, each
10 party must restate in the case management statement the contents of its certification by identifying any
11 persons, firms, partnerships, corporations (including parent corporations) or other entities known by the
party to have either: (i) a financial interest in the subject matter in controversy or in a party to the
proceeding; or (ii) any other kind of interest that could be substantially affected by the outcome of the
proceeding.

12 20. Such other matters as may facilitate the just, speedy and inexpensive disposition of this matter.
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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

FERREIRA et al,

Plaintiff,

v.

CHABOT COLLEGE et al,

Defendant.

Case Number: CV08-02264 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 12, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Kathleen Darmagnac
Louis A. Leone
Stubbs & Leone
2175 N. California Boulevard
Suite 900
Walnut Creek, CA 94596

Richard Ferreira
18349 Robscott Avenue
Hayward, CA 94541

Dated: May 12, 2008

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk

UNITED STATES DISTRICT COURT
Northern District of California
450 Golden Gate Avenue
San Francisco, California 94102

www.cand.uscourts.gov

Richard W. Wieking
Clerk

General Court Number
415.522.2000

May 9, 2008

CASE NUMBER: CV 08-02264 BZ

CASE TITLE: RICHARD FERREIRA-v-CHABOT COLLEGE

REASSIGNMENT ORDER

GOOD CAUSE APPEARING THEREFOR,

IT IS ORDERED that this case is reassigned to the **OAKLAND** division.


Honorable CLAUDIA WILKEN for all further proceedings.

Counsel are instructed that all future filings shall bear the initials **CW** immediately after the case number.

ALL MATTERS PRESENTLY SCHEDULED FOR HEARING ARE VACATED AND SHOULD BE RENOTICED FOR HEARING BEFORE THE JUDGE TO WHOM THE CASE HAS BEEN REASSIGNED.

Date: 5/9/08

FOR THE EXECUTIVE COMMITTEE:


Clerk

NEW CASE FILE CLERK:

Copies to: Courtroom Deputies
Log Book Noted

Special Projects
Entered in Computer 5/9/08 MAB

CASE SYSTEMS ADMINISTRATOR:
Copies to: All Counsel

Transferor CSA

1 Re: Ferreira v. Chabot-Las Positas Community College District, et al.
2 Alameda County Superior Court Case No.: HG 07334984
3 U.S. District Court, Northern District of California Case No.: CV08-02264 CW

4 **PROOF OF SERVICE**

5 I, the undersigned, declare that I am employed in the City of Walnut Creek, State of
6 California. I am over the age of 18 years and not a party to the within cause; my business
7 address is 2175 N. California Blvd., Suite 900, Walnut Creek, California. On May 12, 2008, I
8 served the following documents:

9 **CASE MANAGEMENT SCHEDULING ORDER FOR REASSIGNED CIVIL CASE;
10 REASSIGNMENT ORDER**

11 on the following interested party(s) in said cause:

12 Richard A. Ferreira, In Pro Per
13 18349 Robscott Avenue
Hayward, CA 94541

14 **VIA MAIL - CCP §§ 1013(a), 2015.5**

15 ☒ By placing a true copy thereof enclosed in a sealed envelope(s), addressed as
16 above, and placing each for collection and mailing on that date following ordinary
17 business practices. I am readily familiar with my firm's business practice of
18 collection and processing of correspondence for mailing with the United States
19 Postal Service and correspondence placed for collection and mailing would be
deposited with the United States Postal Service at Walnut Creek, California, with
postage thereon fully prepaid, that same day in the ordinary course of business.

20 ☐ By placing a true copy thereof enclosed in a sealed envelope(s), addressed as
21 above, and depositing each envelope(s), with postage thereon fully prepaid, in the
mail at Walnut Creek, California.

22 **VIA OVERNIGHT MAIL/COURIER VIA FEDEX- CCP §§ 1031(c), 2015.5**

23 ☐ By placing a true copy thereof enclosed in a sealed envelope(s), addressed as
24 above, and placing each for collection by overnight mail service, or overnight
25 courier service. I am readily familiar with my firm's business practice of collection
26 and processing of correspondence/documents for overnight mail via FedEx or
27 overnight courier service, and that it is to be delivered to an authorized courier or
driver authorized by the overnight mail carrier to receive documents, with delivery
fees paid or provided for, that same day, for delivery on the following business
day.

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VIA FACSIMILE - CCP §§ 1013(e), CRC 2008

☐ By arranging for facsimile transmission from facsimile number 925-974-8601 to the above listed facsimile number(s) prior to 5:00 p.m. I am readily familiar with my firm's business practice of collection and processing of correspondence via facsimile transmission(s) and any such correspondence would be transmitted via facsimile to the designated numbers in the ordinary course of business. The facsimile transmission(s) was reported as complete and without error.

VIA HAND-DELIVERY - CCP §§ 1011, 2015.5

☐ By placing a true copy thereof enclosed in a sealed envelope(s), addressed as above, and causing each envelope(s) to be hand-served on that day by D&T Services in the ordinary course of my firm's business practice.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on May 12, 2008, at Walnut Creek, California.



Gloria Orason